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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,457	04/30/2001	Jonathan C. Salas	MOON-P008	3019

7590 09/09/2004	**EXAMINER**

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ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 April 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-19 are presented for examination.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in

this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by
> another filed in the United States before the invention thereof by the applicant for patent,
> or on an international application by another who has fulfilled the requirements of
> paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by
> the applicant for patent.

3.   Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated

by Rabin et al. (6,697,948) (hereinafter Rabin).

4.   As per claim 1, Rabin discloses in a distributed computing system

comprising a client coupled to a plurality of resources on a network (fig 1), a

system to control client access to such resources comprising:

a database to store (col 49, lines 65-67 and col 50, lines 1-2) one or

more policy criteria associated with a user (col 49, lines 45-67 and col 50,

lines 1-2);

a license (col 59, lines 39-41) manager to generate one or more

tokens (supervising usage of software by issuing tags, col 3, lines 47-54)

according to allocated access session (an instance and usage, col 5,lines 9-

28) based on said policy criteria associated with the user (col 5,lines 9-28);

and

a token monitor (verification program, col 5,lines 9-28) to initiate

resource access according to said generated token (verification program

examines tags, col 5,lines 9-28).

5.   As per claim 11, Rabin discloses in a distributed computing system, a

method for managing user access to resources on a network comprising the

steps of:

creating one or more resource access session(s) (col 5, lines 35-51) by

a system administrator (col 3, lines 29-65),

wherein said resource access session(s) are assigned to a specific user

and stored on a database (col 49, lines 45-67 and col 50, lines 1-2),

verifying (col 5, lines 9-28) a user resource request (col 5, lines 35-51) against its associated resource access session(s) by a license manager (col 5, lines 9-28), and

generating a token corresponding (supervising usage of software by issuing tags, col 3, lines 47-54) to said resource access session(s) for the user by said license manager (col 59, lines 39-41), wherein the token enables user to access said resource (col 5,lines 9-28).

6.   As per claim 2, Rabin discloses the allocated access session is based on said policy criteria associated with said resource (policy is associated with software, col 5,lines 9-28).

7.   As per claim 3, Rabin discloses the policy criteria is a combination of different policy criterion (col 5, lines 65-67 and col 6, lines 1-7).

8.   As per claim 4, Rabin discloses one or more allocated access session is associated with the user (col 5, lines 36–53).

9.   As per claim 5, Rabin discloses the token monitor (verification program, col 5,lines 9-28) further comprises a criteria evaluator that notifies

token monitor if said criteria is triggered (col 5,lines 9-28 and col 47, lines 43-45).

10.   As per claim 6, Rabin discloses the criteria evaluator is a calendar and said criterion triggered (col 47, lines 38-61) is a specific period including a certain day of the week (fig 6), a certain day of the month (fig 6), a certain month (fig 6), a certain week, or a certain number of days (fig 6, col 42, lines 1-12).

11.   As per claim 7 Rabin discloses the criteria evaluator is a counter and said criterion triggered is a number including number of user access, number of files produced, number of files opened, number of files saved, or number of pages printed (fig 14-15, col 61, lines 1-45).

12.   As per claim 8, Rabin discloses the criteria evaluator is a timer and said criterion triggered is a time including a time of day, a time interval in a day, or specific time on a specific day (fig 6, col 42, lines 1-12).

13.   As per claims 9 and 14, Rabin discloses a secondary access database (fig 1,2) that provides for token creation when initial allocated access session(s) are depleted (col 59, lines 39-41).

14.   As per claim 10, Rabin discloses a notification component to alert user when initial allocated access session(s) reach a pre-selected level (license and renew, col 59, lines 39-41).

15.   As per claim 12, Rabin discloses the creation of resource access session(s) is based on user licensing criteria (call-up, col 59, lines 39-41).

16.   As per claim 13, Rabin discloses the creation of resource access session(s) is based on application licensing criteria (license, col 59, and lines 39-41).

17.   As per claim 15, Rabin discloses the token generated enables resource access for a segment of the whole resource access session (renew, col 59, lines 39-41).

18.   As per claim 16, Rabin discloses generating a new token when said segment access is depleted and additional access remains in the whole resource access session (license and renew, col 59, lines 39-56)

19.   As per claim 17, Rabin discloses notifying the user (col 54, lines 12-

18) when initial resource access session(s) reaches a pre-selected level (one

year period has expired, col 59, lines 39-56); and

renewing by the user said initial resource access session(s) (license

and renew, col 59, lines 39-41).

18. As per claim 18, Rabin discloses the user utilizes a secondary access

session(s).

19. As per claim 19, Rabin discloses monitoring a license criterion of said

token (license, col 59, lines 39-41 and col 5, lines 9-28); and

terminating user access when said license criterion is triggered

(license, col 59, lines 39-41 and col 5, lines 9-28).

Conclusion

20.   The prior art made of record and not relied upon is considered

pertinent to applicant's disclosure:

U.S. Patent 6,049,789 teaches pay-per-use.

U.S. Patent 6,435,420 teaches tracking the distribution of
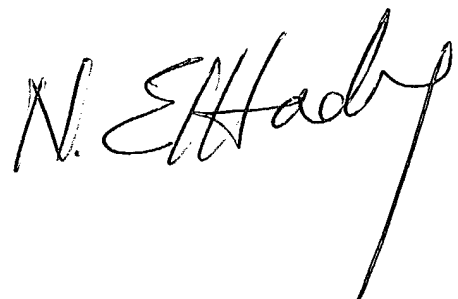
content electronically.

U.S. Patent 6,611,862

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A Siddiqi whose telephone number is (703) 305-0353. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS